



General Assembly

Raised Bill No. 1240

January Session, 2005

LCO No. 4118

* SB01240PD 042905 *

Referred to Committee on Public Health

Introduced by:
(PH)

***AN ACT CONCERNING PROTECTION OF PUBLIC WATER SUPPLY
WATERSHEDS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-3i of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 (a) As used in this section "water company" means a water
4 company, as defined in section 25-32a, and "petition" includes a
5 petition or proposal to change the regulations, boundaries or
6 classifications of zoning districts.

7 (b) When an application, petition, request or plan is filed with the
8 zoning commission, planning and zoning commission or zoning board
9 of appeals of any municipality concerning any project on any site
10 [which] that is within the aquifer protection area delineated pursuant
11 to section 22a-354c or the watershed of a water company, the applicant
12 or the person making the filing shall provide written notice of the
13 application, petition, request or plan to the water company and the
14 Commissioner of Public Health, provided such water company or said
15 commissioner has filed a map showing the boundaries of the

16 watershed on the land records of the municipality in which the
17 application, petition, request or plan is made and with the zoning
18 commission, planning and zoning commission or zoning board of
19 appeals of such municipality or the aquifer protection area has been
20 delineated in accordance with section 22a-354c, as the case may be.
21 Such notice shall be made by certified mail, return receipt requested,
22 and shall be mailed [within] not later than seven days [of] after the
23 date of the application. Such water company and the Commissioner of
24 Public Health may, through a representative, appear and be heard at
25 any hearing on any such application, petition, request or plan.

26 (c) Notwithstanding the provisions of subsection (b) of this section,
27 when an agent of the zoning commission, planning and zoning
28 commission or zoning board of appeals is authorized to approve an
29 application, petition, request or plan concerning any site [which] that
30 is within the aquifer protection area delineated pursuant to section
31 22a-354c or the watershed of a water company without the approval of
32 the zoning commission, planning and zoning commission or zoning
33 board of appeals, and such agent determines that the proposed activity
34 will not adversely affect the public water supply, the applicant or
35 person making the filing shall not be required to notify the water
36 company or the Commissioner of Public Health.

37 Sec. 2. Section 22a-42f of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective October 1, 2005*):

39 When an application is filed to conduct or cause to be conducted a
40 regulated activity upon an inland wetland or watercourse, any portion
41 of which is within the watershed of a water company as defined in
42 section 25-32a, the applicant shall provide written notice of the
43 application to the water company and the Commissioner of Public
44 Health, provided such water company or said commissioner has filed
45 a map showing the boundaries of the watershed on the land records of
46 the municipality in which the application is made and with the inland
47 wetlands agency of such municipality. Such notice shall be made by

48 certified mail, return receipt requested, and shall be mailed [within]
49 not later than seven days [of] after the date of the application. The
50 water company and the Commissioner of Public Health, through a
51 representative, may appear and be heard at any hearing on the
52 application.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	8-3i
Sec. 2	<i>October 1, 2005</i>	22a-42f

PH *Joint Favorable*

PD *Joint Favorable*